

Amendment
App. No. 10/693,231

R E M A R K S

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested. Claims 17, 22, 24-26, 28, 30, 32, 34, 36, 37, and 40-42 are currently being amended, claims 15, 16, 18-21 and 23 are currently being canceled without prejudice, and no claims are currently being added. Therefore, claims 1-14, 17, 22 and 24-42 are pending in the application.

Claim Objections

Claims 40 and 41 were objected to because of the preambles. Applicants have amended the preambles of these claims in the manner suggested by the Examiner. Therefore, this objection should be withdrawn.

Claim Rejections under 35 U.S.C. 102

Claims 1-5, 7-10, 13, 14, 29 and 40 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,963,203 to Goldberg et al. ("Goldberg et al."). Applicants respectfully traverse these rejections.

1. Independent Claims 1, 4 and 40

Contrary to the Examiner's assertion, cutting of a virtual box space by a surface that contains a plurality of points each of which differs from the other in time value is not described in column 1, lines 29-32 of Goldberg et al. While Goldberg et al. describes a "cuboid", it fails to describe, inter alia, a surface that cuts a cuboid along a time axis. Nor does it describe outputting the images appearing on the plane.

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The Examiner points out that outputting the images appearing on the plane as new moving pictures by varying the cut surface in time is described in column 4, lines 59-65 of Goldberg et al. The Examiner fails to note that Goldberg et al. is silent about the "cut surface". As such, it lacks a description of images appearing on the surface. For example, Figs. 5A-5C of Goldberg et al. show images from viewing positions A, B and C. It is clear, however, that none of them is an image appearing on the cut surface.

Accordingly, claims 1, 4 and 40 should not be rejected under 35 U.S.C. 102(b).

2. Claims 2, 3, 5-14, 29

Claims 2 and 3 are allowable at least by virtue of their dependency from allowable claim 1, and claims 5-14 and 29 are allowable at least by virtue of their dependency from allowable claim 4.

Claims 15, 17, 18, 21, 22, 34, 36, 41 and 42 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,665,342 to Brown et al. ("Brown et al."). Applicants respectfully traverse these rejections.

3. Claim 17

While Brown et al. describes in column 5, lines 25-35 synthesizing the images based on an attribute difference, it does not describe "synthesizing in a ratio according to an attribute value".

Accordingly, claim 17 should not be rejected under 35 U.S.C. 102(e). Claim 17 has been amended to place it in independent form.

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The teaching of claims 15 and 16 is not disclosed in Brown et al., either. They are canceled without prejudice to future action and solely for the purpose of expediting the prosecution.

4. Claim 22

Brown et al. does not describe synthesizing the data read out from a plurality of frames "in a ratio according to an attribute value thereof, for each in-picture position".

Accordingly, claim 22 should not be rejected under 35 U.S.C. 102(e). Claim 22 has been amended to place it in independent form.

The teaching of claims 18-21 and 23 is not disclosed in Brown et al., either. They are canceled without prejudice to future action and solely for the purpose of expediting the prosecution.

5. Independent Claims 41 and 42

Independent claim 41 has been amended in a manner similar to claim 22. Independent claim 42 has been amended in a manner similar to claim 17.

Brown et al. does not describe synthesizing the data read out from the plurality of frames in a ratio according to an attribute value thereof, for each in-picture position.

Accordingly, claims 41 and 42 should not be rejected under 35 U.S.C. 102(e).

Claims 34 and 36 are allowable at least by virtue of their dependency from allowable claim 22.

Claim Rejections under 35 U.S.C. 103

Claims 6, 11, 12, 16, 19, 20, 23-28, 30-33, 35, 37-39 have been rejected under 35 U.S.C. 103(b) as being unpatentable over

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various combinations of Goldberg et al., Brown et al., as well as U.S. Patent No. 6,940,997 to Kaneko et al. ("Kaneko et al."), the paper "Computer Graphics: Principals and Practice" by Foley et al. ("Foley et al."), and U.S. Patent No. 5,926,186 to Itoh et al. ("Itoh et al."). Applicants respectfully traverse these rejections.

1. Claims 6, 11-12, 24, 27-39

Claims 6, 11-12, and 35 are allowable at least by virtue of their dependency from allowable claim 4. Claims 27, 29, 31 and 33 are allowable at least by virtue of their dependency from allowable claim 9. Claims 24, 28, 30, 32, 34, 36 and 37 are allowable at least by virtue of their dependency from allowable claim 22. Claim 39 is allowable at least by virtue of its dependency from allowable claim 28.

Accordingly, claims 6, 11-12, 24, 27-39 should not be rejected under 35 U.S.C. 103(a).

2. Claim 25

Claim 25 recites, inter alia, "a previous frame in time with respect to a reference frame which should have been naturally outputted by said image data output unit from said image memory". That is, the process of claim 25 is such that a future frame is read ahead and a part of it is synthesized into a target frame. Such a feature is neither disclosed nor suggested in column 10, lines 4-20 of Goldberg et al. Nor does Brown et al. disclose or suggest the feature, demonstrating that the rejection based on the references is not factually based. Accordingly, the subject matter of claim 25 is not obvious over the cited prior art so that claim 25 should not be rejected under 35 U.S.C. 103(a). Claim 25 has been amended to place it in independent form.

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3. Claim 26

The description in column 14, lines 34-40 and element 40 of Figure 5A of Itoh et al. do not have any relevance to the claimed subject matter. Claim 26 requires, inter alia, that it is determined whether to add a predetermined pixel value for each in-picture position of the images contained in the target frame, and a determination is made as to whether to add a predetermined pixel value in accordance with an attribute value at the in-picture position. Such a process is neither disclosed nor suggested in Itoh et al. or Brown et al., demonstrating that the rejection based on the references is not factually based. Accordingly, the subject matter of claim 26 is not obvious over the cited prior art so that claim 26 should not be rejected under 35 U.S.C. 103(a). Claim 26 has been amended to place it in independent form.

Fees Believed to be Due

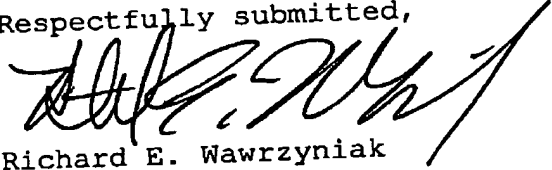
When this application was filed a fee was paid for a total of 42 claims with 7 claims being independent claims. The above amendment has resulted in there now being a total of 35 claims with 9 claims being independent claims. Thus, a fee is now due for 2 extra independent claims. A Fee Transmittal is included herewith to cover this fee.

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C O N C L U S I O N

By way of this response, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,


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